

AUG 31 2007

REPLY UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2155
PATENT
APPLICATION 10/676,485
ATTORNEY DOCKET 1014-041

REMARKS

Applicant respectfully thanks the Examiner for the consideration provided to this application, and respectfully requests reconsideration of this application.

Each of claims 10 and 21 has been cancelled without prejudice or disclaimer.

Each of claims 1, 3, 4, 5, 9, 10-12, 13, 16, and 20-22 has been amended for at least one reason unrelated to patentability, including at least one of: to explicitly present one or more elements, limitations, phrases, terms and/or words implicit in the claim as originally written when viewed in light of the specification, thereby not narrowing the scope of the claim; to detect infringement more easily; to enlarge the scope of infringement; to cover different kinds of infringement (direct, indirect, contributory, induced, and/or importation, etc.); to expedite the issuance of a claim of particular current licensing interest; to target the claim to a party currently interested in licensing certain embodiments; to enlarge the royalty base of the claim; to cover a particular product or person in the marketplace; and/or to target the claim to a particular industry.

Claims 1-22 are now pending in this application. Each of claims 1 and 12 is in independent form.

I. The Indefiniteness Rejections

Each of claims 1, 2, 9-13, 17, 18, and 20-22 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite. These rejections are respectfully traversed as moot in view of the present amendments to claims 1, 9-13, and 20-22, at least one of which also effectively amends each of dependent claims 2, 17, and 18.

II. The Obviousness Rejections

Each of claims 1-22 was rejected under 35 U.S.C. 103(a) as being unpatentable over various combinations of U.S. Patent 6,185,625 ("Tso"), U.S. Patent 6,031,818 ("Lo"), U.S. Patent 4,912,703 ("Sumida"), U.S. Patent 5,826,198 ("Bergins"), and/or U.S. Patent 6,463,509 ("Teoman"). Each of these rejections is respectfully traversed as moot in view of the present

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amendments to at least each of independent claims 1 and 12, which effectively amend each of dependent claims 2-11 and 13-22.

Specifically, claim 1, from which each of claims 2-11 ultimately depends, states, *inter alia*, yet the applied portions of the relied-upon references do not teach, “the gateway proxy device adapted to automatically request a second copy of the media information from the media server, the automatic request responsive to a meta tag that identifies other versions of the media information that are present on the media server”. In addition, claim 1, from which each of claims 2-11 ultimately depends, states, *inter alia*, yet the applied portions of the relied-upon references do not teach, “sending a request to the media server for the missing information, the request responsive to an automatic determination that network congestion is below a predetermined threshold, the network congestion determined via a measured delay of a media server ping”.

Claim 12, from which each of claims 13-22 ultimately depends, states, *inter alia*, yet the applied portions of the relied-upon references do not teach, “the copy automatically requested responsive to a user request for the media information and a meta tag that identifies other versions of the media information that are present on the media server”. In addition, claim 1, from which each of claims 2-11 ultimately depends, states, *inter alia*, yet the applied portions of the relied-upon references do not teach, “the request responsive to an automatic determination that network congestion is below a predetermined threshold, the network congestion determined via a measured delay of a media server ping”.

For at least these reasons, reconsideration and withdrawal of each rejection of each of claims 1-22 is respectfully requested.

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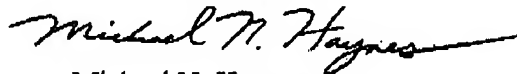
CONCLUSION

It is respectfully submitted that the application is in clear condition for allowance. Reconsideration, withdrawal of all grounds of rejection, and issuance of a Notice of Allowance are earnestly solicited.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to Deposit Account 50-2504. The Examiner is invited to contact the undersigned at 434-972-9988 to discuss any matter regarding this application.

Respectfully submitted,

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